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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,023	04/08/2004	Jae Myung Han	1594.1342	7570
21171	7590	10/02/2006	EXAMINER MAH, CHUCK Y	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ART UNIT 3677	PAPER NUMBER

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/820,023	Applicant(s) HAN, JAE MYUNG	
	Examiner Chuck Mah	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hottmann (5,027,473) in view of Wronski (5,392,494).

'473 discloses the invention as claimed including a hinge lever (38) but for a cap fitted on an end of the hinge lever. '494 teaches a hinge having an end cap (23) attached to the end of the hinge lever (13) to provide a low friction engagement with the base while also providing good stability around the pivot point (col. 2, line 60-col. 3, line 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a cap as taught by '494 to the end of the hinge lever of '473 to provide a low friction engagement with other movable hinge part and a good stability around the pivot point.

3. Claims 2, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hottmann '473 in view of Broghammer (3,421,177).

'473 discloses the claimed invention but for a grommet fitted in the coupling hole. '177 teaches a hinge having a grommet (6) fitted in a coupling hole (2b) to supply lubricant and to prevent the moving hinge parts from contacting each other. It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to modify the coupling hole of '473 with a grommet of '177 to supply lubricant and to prevent the moving hinge parts from contacting each other.

4. Claims 3, 4, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hottmann '473 in view of Feldberg (2,635,281).

'473 discloses the invention as claimed but for the grease container. '281 teaches a hinge having a leakproof grease container attached to one end of the hinge pin to insure continuous and long lasting lubrication of the moving parts of the hinge structure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to attach a grease container as taught by '281 to the end of the pin of '473 to insure a continuous and long lasting lubrication of the hinge parts.

Response to Arguments

5. Applicant's arguments filed Sep. 14, 2006 have been fully considered but they are not persuasive. Applicant's primary argument is based on that none of the references discusses "the cap comprises a slot at a side thereof to receive the hinge lever, upper and lower through-holes formed at upper and lower walls of the cap such that the auxiliary hinge shaft passed through the upper and lower through-holes of the cap and the coupling hole of the hinge lever". Based on factual evidence the examiner disagrees with such assertion. As clearly shown in figures 4-7, Wronski not only shows the cap (23) having a slot (29) and upper and lower through-holes (25) but also clearly points out that the cap is to "prevent binding" and "provide a low friction engagement

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with the base 11 while also providing good stability around the pivot point" (col. 2, line 60-col. 3, line 6). Further, hinge lever (13) has a shaft coupling opening (32). The process of attaching, "push fit", "inserted", "snaps into groove" etc. is given no patentable weight. Wronski simply meets the invention as claimed. Applicant's allegation that the reference does not show a slot, upper and lower holes, the shaft passing through the holes and the coupling hole of the hinge lever is simple untrue.


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Mah whose telephone number is (571)272-7059. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on (571)272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chuck Mah
Primary Examiner
Art Unit 3677

CM